

In re Patent Application of:

**KLIESNER ET AL.**

Serial No. 10/620,151

Filed: 07/15/2003

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**REMARKS**

Claims 1-15 remain in the application remain in the application. Claims 1-15 stand rejected.

The Examiner rejected claims 1-4, 6-9, and 11-14 under 35 U.S.C. § 102 as anticipated by Ozkan.

The Examiner also rejected claims 5, 10 and 15 under 35 U.S.C. § 103 as unpatentable over Ozkan.

Each of the independent claims has been amended to point out important differences between the Ozkan reference and the claimed invention. First, Ozkan uses a series of connected inverters which apparently act as a delay line. However, by virtue of the inverters being individually fabricated, there are process variations with respect to each of the inverters, resulting in a much less controlled difference between respective outputs from the delay line to the multiplexer.

The claimed invention, on the other hand, calls for a fixed phase delay which implies a more controlled set of timing differences between respective outputs of the phase delay. Further, the Ozkan circuit includes Block 201, including phase comparator 270, counter 290, LD register 295, multiplexer 253, comparator 250, and multiplexer 255, all of which are unnecessary in the claimed invention. Apparently, Ozkan utilizes this additional circuitry to achieve a measure of stability.

The use of the error filter 60 and the gain element 70 in Applicants' disclosure in Figure 2, results in a second order system which has considerably greater stability than might be achieved in the Ozkan system. The claimed invention achieves the

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greater stability with a much simpler circuit. Accordingly, the invention as claimed in the amended claims, distinguishes patentably over Ozkan.

Accordingly, Applicants respectfully request that the Examiner reconsider the rejection in light of the amendments to the claims and allow the application.

Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned attorney at the telephone number listed below.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees, to Deposit Account No. 01-0484 and please credit any excess fees to such deposit account.

Respectfully submitted,



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